The motion was adopted.

Clause 9 was added to the Bill.

Clause 10 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI H. R. BHARDWAJ : Sir, I move :

"That the Bill be passed."

The question was put and the motion was adopted.

THE CENSUS (AMENDMENT) BILL, 1993.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Now we take up the Census (Amendment) Bill, 1993.

SHRI G. SWAMINATHAN (Tamil Nadu) : We can take it up tomorrow, Sir.

SHRI P. UPENDRA (Andhra Pradesh) : Tomorrow... (*Interruptions*).

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. M. SAYEED) : Sir, I move :

"That the Bill further to amend the Census Act, as passed by the Lok Sabha, be taken into consideration."

This Bill has been considered and passed by the Lok Sabha on 9-12-1993.

SHRI G. SWAMINATHAN : A point of order, Sir. We have decided that the House would sit up to 6 o'clock. If it has to go beyond that, you have to ask for the consensus of the House. Without getting the consensus...

SHRI V. NARAYANASAMY (Pondicherry) : No. It was decided in the Business Advisory Committee... (*Interruptions*)

SHRI G. SWAMINATHAN : It was decided in the Business Advisory Committee that the House would sit up to 6 o'clock.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : I got your point.

SHRI G. SWAMINATHAN : For sitting beyond 6 o'clock you have to take the consensus of the House. Without taking the consensus of the House, you cannot go beyond 6 o'clock.

THE VICE-CHAIRMAN (SYED SUBTEY RAZI) : He is already on his legs; let him finish. Then we will see.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Actually, as the Minister has said, it has been decided in the BAC that the House will sit longer and finish today's business.

SHRI G. SWAMINATHAN : No. It was said the House will sit up to 6 o'clock.

SHRI P. UPENDRA : If necessary. You have to take up the Census (Amendment) Bill.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : I think the House agrees to carry on with the business. Yes, Mr. Minister.

SHRI P. M. SAYEED : The Census Act, 1948 was enacted to enable the Government to take a census throughout India. Since then, the census has been taken five times i.e. in 1951, 1961, 1971, 1981 and 1991. During the 1981 Census and more recently in the 1991 Census Operations it was felt that the existing provisions of the Census Act, 1948 were not adequate to tackle the problems that have increasingly been experienced during the successive Census rounds. It was common experience of the Directors of Census Operations and the census staff that Census Act required considerably strengthening to permit smooth conduct of the census. Some of the problems that need tidying over are; the local authorities do not often readily agree to make avail-

able the staff required for census work, the part time staff often do not take their duties seriously; the census officials are sometimes subjected to great pressure by organised movements to record particular responses in respect of language or caste; diffirulties are experienced in the procurement of vehicles and buildings for the conduct of census, etc. In order to ensure that the census work is not hindered or disrupted it is deemed necessary to amend the Census Act with a view to :

making it obligatory upon every local authority to make available the staff necessary for taking census,

protecting the legitimate service interests of the persons deployed on census duty.

specifying enhanced penalties for certain offences such as refusal of performances of duties by designated census officers or causing of obstacle to any person in performance of such duties or putting any offensive or improper question or making false disclosure or removing, secreting, damaging or destroying the census documents. These are proposed to be made cognizable offences so that such offences may be punished by imprisonment for a term upto three years or fine or both, and

incorporating, for census purposes, certain provisions on the lines of the provisions of the Representation of People's Act, 1951 (43 of 1951) relating to requisitioning of premises or vehicles.

The Bill was considered by the Standing Committee on Home Affairs and the Report of the Committee was presented to Rajya Sabha on 27-8-93 and was laid on the Table of Lok Sabha on the same day. The Bill has since been passed by Lok Sabha on 9-12-1993.

The Bill seeks to achieve the above objectives.

I commend the Bill for consideration of this august House.

The question was proposed.

श्री संघ प्रिय गौतम (उत्तर प्रदेश)—उपसभाध्यक्ष महोदय, मेरा एक तो बुनियादी एतराज है। माननीय मंत्री महोदय ने जो इस विधेयक को प्रस्तुत करने के उद्देश्य बताये हैं, आम तौर से वे उद्देश्य हर विधेयक के साथ प्रस्तुत किये जाते हैं। लेकिन इस विधेयक के साथ उन उद्देश्यों का उल्लेख नहीं है। एक तो मेरा यह एतराज है। दूसरा, शायद मैं समझ नहीं पा रहा हूं..... (**व्यवधान**)।

SHRI P. M. SAYEED : Gautam Ji, can you repeat the first point ?

श्री संघ प्रिय गौतम : आपने विधेयक के उद्देश्य जो बताये हैं उन उद्देश्यों का उल्लेख इस विधेयक के साथ सन्निहित नहीं है।

जो आमतौर से हुआ करता है कि हर विधेयक को प्रस्तुत करते समय उसके उद्देश्य उसके साथ डिस्ट्रिब्यूट किये जाते हैं, जो इसमें नहीं है। यह मेरा बुनियादी ऐतराज है।

दूसरा उपसभाध्यक्ष महोदय, शायद मेरे समझने में गलती है या मंत्री जी सारे देश को समझा नहीं पा रहे हैं, सरकार नहीं समझा पा रही है--यह जन-गणना अधिनियम है और जनगणना का सीधा संबंध जनसंख्या से है। जनसंख्या की गणना करते समय और भी बहुत से तथ्य सामने आते हैं और उनका भी आकलन होता है। लेकिन जैसा मैंने शुरु में कहा कि शायद मैं नहीं समझ पाया, आज सारे देश में, सारे विश्व में जो सबसे बड़ी समस्या है वह बढ़ती हुई जनसंख्या है। लेकिन हमारे देश में जनसंख्या की रोक के लिये कोई विधेयक नहीं है, कोई कानून नहीं है। कैसा परिहास है? यह है जनगणना अधिनियम, लेकिन जनसंख्या पर नियंत्रण संबंधी इसमें कोई भी प्रावधान नहीं है। इसलिये मैंने आपसे कहा कि शायद मेरी समझ अधूरी है या यह सरकार हमारे देश को समझा नहीं पा रही है। महोदय आप जानते हैं कि हमारे देश में भारतीय दंड संहिता है, जो दंड की परिभाषा करती है, जो अपराध की परिभाषा करती है और हर

एक अपराध के लिये दंड निर्धारित करती है। लेकिन दंड कैसे दिया जायेगा, इसके लिये अलग कानून है, जिसको हम कहते हैं क्रिमिनल प्रोसीजर कोड यानी दंड प्रक्रिया संहिता। ठीक इसी प्रकार से जनसंख्या पर रोक या उसका उल्लेख और उसका समावेश इस विधेयक में होना चाहिये या जनसंख्या पर रोक संबंधी कोई अलग विधेयक होना चाहिये या इसका नाम होना चाहिये। यह क्या है? जनगणना अधिनियम एक प्रक्रिया है। इसलिये इस अधिनियम में उसका नाम होना चाहिये जनगणना प्रक्रिया संहिता। दूसरी आपत्ति मेरी यही है, जो मेरी छोटी छोटी सी बुद्धि में आयी है

अब मैं जो बात प्रस्तुत कर रहा हूं वह यह है कि हमारे संविधान में जनसंख्या पर रोक संबंधी कोई प्रावधान नहीं है। लेकिन राज्यों के जो नीति निर्देशक सिद्धांत हैं, उनमें जन-कल्याण का उल्लेख है और उस पर बड़ा भारी जोर दिया गया है। जब जन-कल्याण की बात आती है उसमें भारतीय नागरिकों की शिक्षा, उनकी दवा, उनके रोजगार और उनके स्वास्थ्य का ध्यान यह सरकार रखेगी, इस पर जोर दिया गया है। सारे विश्व ने इस बात को स्वीकार किया है कि यह बढ़ती हुई जनसंख्या दुनिया के लोगों की शिक्षा, दीक्षा और उनके स्वास्थ्य में, उनके रोजगार में बाधा पैदा कर रही है। इसलिये मैं आपके माध्यम से अपना विरोध रजिस्टर करते हुए, जो मेरी आपत्तियां है, उनको रजिस्टर करते हुए यह चाहूंगा कि मंत्री जी एक कम्प्रहेंसिव विधेयक लायें और जो हमारे देश में एक योजना बहुत दिनों से चली आ रही है, परिवार-कल्याण योजना--उसमें पहले कहा गया था कि "दो या तीन बच्चे होते हैं घर में अच्छे" और अब "हम दो हमारे दो" और अब लोग यह भी कहने लगे हैं कि एक से ज्यादा बच्चे नहीं होने चाहिए, तो फिर जनसंख्या पर रोक संबंधी विधेयक अलग क्यों नहीं है? अगर नहीं है तो फिर उसका उल्लेख समावेश इस विधेयक में क्यों नहीं है? यह तो एक प्रक्रिया है आपकी जनगणना की प्रक्रिया संबंधी आपका मुख्य मुद्दा हमारे सामने है और जनगणना तथा उसका संबंध भी उससे है। इसलिए मैं अपनी बात पर फिर से जोर दूंगा कि कि आज सारे विश्व के सामने और हमारे देश के सामने जो मुद्दा है, जो अत्यंत बड़ी चुनौती है वह है बढ़ती हुई जनसंख्या। सवेरे आठ बजे देशबन्धु बोलते हैं, 7 बजे से पहले तब उसमें मीटर दिखाया जाता है, सारे विश्व और सारे देश की बढ़ती हुई जनसंख्या की ओर लोगों का ध्यान केन्द्रित किया जाता है। जो उसकी सुई है, आज तक न वह रूकी है और न उसकी रफ्तार कम हुई है। जब एक तरफ दूरदर्शन यह प्रचार कर रहा है, एक तरफ सरकार यह प्रचार कर रही है और एक तरफ रोजाना अपना दुख व्यक्त कर रहे है बढ़ती हुई जनसंख्या पर तब मैं आऊटराइटली यह कहना चाहूंगा कि आप इस विधेयक को वापस ले और मंत्री जी दूसरा कम्प्रेहेंसिव विधेयक लाएं जिसमें या तो इसके नाम परिवर्तन की आप सिफारिश करें क्योंकि यह जनगणना की प्रक्रिया है जैसे सी.आर.पी.सी. में है तो आप प्रक्रिया संबंधी नाम बदलिये और इसका नाम रखिये जनगणना प्रक्रिया संहिता। या फिर इसमें जनसंख्या पर रोक संबंधी तथ्य सन्निहित कीजिये तब यह विधेयक पूरा होगा। आपके इस विधेयक से कोई हमारी मंशा का हल होने वाला नहीं है। (समय की घंटी) एक मिनट और लूंगा। हम जानते है कि जब हम जनगणन करते है। 1991 की जनगणना हुई। जनगणना के वाल्यूम के वाल्यूम हम लोगों को दिये गये है जहां हमें बताया गया है कि परिवार कितने है, शिक्षित कितने हैं, कितने अशिक्षित हैं, कितने मजदूर हैं, कितने खेती का काम करते है, महिलाओं की संख्या कितनी है, शिक्षित कितनी है, पुरूषों की संख्या कितनी है। यह सारे के सारे वाल्यूम भरे हुए हैं कि कितनी आबादी महिलाओं की है, कितनी पुरूषों की है, किस प्रान्त में कितनी है, किस क्षेत्र में कितनी है, किस धर्म की कितनी है, किस वर्ग की कितनी है, किस अनुसूचित जाति की कितनी है, किस अनुसूचित जनजाति की कितनी है। जब सारी की सारी जनगणना का संबंध जनसंख्या से है तो फिर मेरी समझ में नहीं आता है कि जनसंख्या पर रोक संबंधी अलग विधेयक या इस विधेयक में समाहित क्यों नहीं है। इसलिए मैं आपके माध्यम से मांग करता हूं कि मंत्री जी इस विधेयक को वापस लें और एक दूसरा कम्प्रेहेंसिव विधेयक सामने लाएं। धन्यवाद।

SHRI SARADA MOHANTY (Orissa) : Mr. Vice-Chairman, I support this Bill. But I have a few words to say. In clause 7B, it is stated : "Wenever in pursuance of section 7A the Central Government requisitions any premises, there shall be paid to the persons interested compensation the amount of which shall be determined by taking into consideration the following..." But in the explanation to sub-clause 7B, it has been stated that the expression "person interested" means the person who was in actual possession of the premises requisitioned under section 7A." Suppose, a tenant is in possession of the house and the owner is not in possession of the house, then the compensation will be paid to a person who is in posession. If a tenant is in posession of the house, he will get the compensation and the owner will be debarred from taking the compensation. He may have to go to the court of law to prove his ownership and he will get the compensation after a long time.

Sub-clause (2) of clause 7B states : "Whenever in pursuance of section 7A the Central Government requisitions any vehicle, vessel, or animal, there shall be paid to the owner thereof compensation.." If they will give compensation to the owner of the vehicle, why will they not give compensation to the owner of the land or building ? This is one thing.

SHRI P. M. SAYEED : Sir, he is going into the merits of the Bill. (*Interruptions*)

SHRI SARADA MOHANTY : Listen to me. Secondly, when they release this premises, they will give possession to a person from whom they have taken the posession. Suppose, in the meantime, the tenant has been evicted by the owner, what will happen ? It is written that the possession shall be delivered to the person from whom possesion was taken at the time when the premises was requisitioned.

So, the possession will be given to the tenant. The owner will be debarred from taking it. Then he will go to the court. I request the hon. Minister that while considering the Bill these two things should also be taken into consideration and some amendment be made. Thank you.

श्रीमती सरला महेश्वरी (पश्चिम बंगाल) : जनगणना के काम को सुचारू रूप से और सुगमता से चलाने के लिए जनगणना मशीनरी को अधिकतम सुविधाएं प्रदान करने के लिए लाये गये इस विधेयक को अगर हम सीमित उद्देश्यों में ही देखें तो मैं इसका समर्थन करती हूं। लेकिन उपसभाध्यक्ष महोदय, सवाल सिर्फ इतना नहीं है। सवाल हमारे दृष्टिकोण का भी है कि हम जनगणना के आंकलन को, जनगणना के परिणाम को किस दृष्टिकोण से देखते हैं। उपसभाध्यक्ष महोदय जब मैं दृष्टिकोण की बात करती हूं तब बहुत से मुद्दे हमारे सामने आते हैं। जब हम जनगणना का सवाल उठाते हैं तो सबसे पहले जो चीज हमारे दिमाग में आती है वह है कि हमारे सार्वजनिक जीवन में, हमारा जो सार्वजनिक जीवन है, उस जीवन में जो तमाम छोटी-बड़ी समस्याएं हैं, दिन प्रति दिन हमारी आबादी का स्वरूप किस तरह से बदल रहा है, उसमें कौन से नये गुणात्मक परिवर्तन आ रहे हैं, इन तमाम चीजों को समझने का भी हमें अवसर मिलता है। इसलिए जनगणना जैसे वृहद आयोजन को जब हम करते हैं तो उसके तमाम पक्षों को हमें देखना चाहिए। इसलिए मैं कहना चाहूंगा कि जनगणना वास्तव में हमारे भविष्य की सामाजिक, आर्थिक और राजनीतिक तस्वीर को पेश करती है, कि हमें इस जनगणना के जरिये कौन-सा रास्ता अख्तियार करना है, अपने समाज को कौन-सी दिशा देनी है।

उपसभाध्यक्ष महोदय, जनसंख्या शास्त्र में सांख्यिकी का विशेष महत्व है। सांख्यिकी यानी स्टेटिसटिक्स, यह ज्ञान का एक ऐसा उपकरण है जिसमें सामाजिक घटनाओं का सिर्फ परिमाणात्मक अध्ययन नहीं किया जाता है बल्कि उसके गुणात्मक रूप का भी अध्ययन किया जाता है। इस गुणात्मक अध्ययन के जरिये हम एक व्यक्ति का नहीं, एक समूह का नहीं बल्कि पूरी की पूरी आबादी का अध्ययन करते हैं। जनगणना के जरिये इसलिए वास्तविक अर्थों में देखा जाए तो हम अपने इतिहास का भौतिक वादी अध्ययन करते हैं। जब हम अपने इतिहास का भौतिकवादी अध्ययन करते हैं तो मेरे दिमाग में अचानक एंजेल्स की यह बात आ जाती है।

एंगल्स ने जेन्लाक के नाम एक पत्र लिखा था और इस पत्र में उन्होंने उनसे कहा था कि "इतिहास की भौतिकवादी अवधारणा के अनुसार इतिहास में निर्धारित तत्व वास्तविक जीवन का पुनर्जनन और प्रजनन है।"

जाहिर है कि इतिहास सिर्फ राजाओं और महाराजाओं का इतिहास नहीं होता। इतिहास आम जनता का इतिहास होता है और आम जनता के जीवन में किस तरह के परिवर्तन आ रहे हैं, इन परिवर्तनों की थाह लेने का एक अच्छा जरिया, भौतिकवादी जरिया जनगणना के जरिये हो सकता है।

उपसभाध्यक्ष महोदय हमारा देश दुनिया का दूसरा सबसे बड़ा आबादी वाला देश है। इसलिए जब हम जनगणना करते हैं तो निश्चित रूप से हमें यह देखना चाहिए कि खास करके हमारे देश में आबादी जिस गति से बढ़ रही है, दुनिया का औसत स्तर जो रहा है आबादी बढ़ने का हमारे देश से कहीं कम है लेकिन हमारे यहां उससे कहीं बहुत ज्यादा है। इन परिस्थितियों में हमारा देश जिसमें करोड़ों की आबादी रहती है हो सकता है कि आगामी 2 हजार वर्ष तक दूसरे स्थान से पहले स्थान पर चला जाए। इसलिए जनगणना का एक विशेष महत्व है।

उपसभाध्यक्ष महोदय, अगर हम अपने देश में जनगणना के इतिहास को देखें तो अब तक हमारे देश में 1872 से लेकर 1991 तक 13 बार जनगणनाएं हो चुकी हैं। अंग्रेजों ने 1861 तक, यह तय कर लिया था कि हम भारत की जो पूरी जनगणना है उसको 1866 तक पूरा कर लेंगे। लेकिन 1857 में जो प्रथम स्वतंत्रता संग्राम हुआ तो उन्होंने यह जो पूरा का पूरा निर्णय लिया था उस निर्णय को एक बार के लिए स्थगित कर दिया। उन्होंने कहा कि नहीं, अभी नहीं कर सकते। और क्षेत्रीय स्तरों पर, लोकल स्तरों पर, स्थानीय स्तरों पर उन्होंने जनगणना करना शुरू किया। लेकिन इन्हीं अंग्रेजों के द्वारा जो जनगणना का आधार रखा गया उसी ने एशिया के लिए भी जनगणना का आधार तैयार किया। 1867 से ले कर 1876 के बीच में भारत में जनगणना के कार्यों के जिस प्रकार चलाया गया, वास्तव में वह हमारे पूरे एशिया महाद्वीप के लिए जनगणना का एक नया सूत्रपात था। लेकिन उपसभाध्यक्ष महोदय, 1872 में जो पहली जनगणना शुरू हुई उसमें कई कमियां हमें नजर आईं, क्योंकि उसमें जनगणना इस ढंग से की गई कि लाखों की संख्या में लोगों को छोड़ दिया गया। लाखों की संख्या में जो विभिन्न श्रेणियां बनाई गईं जिन श्रेणियों का आज हम अध्ययन कर रहे हैं उनका उस समय कोई नामो-निशान नहीं था बल्कि अंग्रेजों ने अपने वर्गीय हितों में अपने सांप्रदायिक दृष्टिकोण से यहां तक कि उस समय जो जनगणनाएं की गईं उनमें इस बात तक का भी ख्याल रखा गया कि कितने लोगों को अंग्रेजी आती है, कितने लोग किस धर्म को मानने वाले हैं। जाहिर है कि अंग्रेजों ने अपने प्रभाव विस्तार के लिए तथा उन मुद्दों की जानकारी लेने के लिए जो कि उनको अपने राज को कायम करने के लिए या अपने राज को और अधिक मजबूती प्रदान करने के लिए हितकारी हो सकते थे सिर्फ उन्हीं मुद्दों के आंकड़े एकत्रित किए। लेकिन अब हमारे सामने जो अनुभव आया है उपसभाध्यक्ष महोदय मैं आपसे कहना चाहूंगी कि वैसे तो अन्तर्राष्ट्रीय स्तर पर करीब पिछले 125 वर्षों से सेमिनार होते रहे हैं इस जनगणना को ले कर कि जनगणना किस तरह से की जानी चाहिए और कई अन्तर्राष्ट्रीय संस्थाओं ने कई संस्तुतियां दी हैं कि किस तरह जनगणना करना चाहिए। इन अन्तर्राष्ट्रीय सेमिनारों में जो मुख्य सिफारिश आई कि जनगणना ऐसे समय में की जानी चाहिए जबकि आबादी का आवागमन सब से कम होता है।.....(घंटी) थोड़ा सा समय और चाहूंगी उपसभाध्यक्ष महोदय। हमारे देश में आजादी के बाद में जो जनगणनाएं की गईं उनमें इस बात का तो ख्याल रखा गया कि उसी समय में जनवरी से मार्च तक में जनगणना की जाती है, जब आबादी का आवागमन सब से कम होता है। लेकिन यह भी एक सिफारिश थी कि जनगणना कम से कम समय में, 24 घंटे में पूरी कर लेनी चाहिए, लेकिन हम उस सिफारिश को मान नहीं पाए क्योंकि हमारा अपना आकलन था चीजों को देखने का तो यह सही है कि अपने देश की वस्तुगत परिस्थितियों के अनुसार, अपने देश की भौतिक परिस्थितियों के अनुसार और हम उसमें परिवर्तन करें तो इसमें कोई खामी मैं नहीं समझती लेकिन महोदय, जनगणनाओं का

हमारा अनुभव रहा, पहली जनगणना के जो मुख्य प्रशासक थे आर्य गोपाल उन्होंने कहा कि हमारी जनगणना में ..... (**व्यवधान**)

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : You have to conclude now.

SHRIMATI SARALA MAHESHWARI : I am just going to conclude.

कि एक प्रतिशत खामियां रहेंगी : लेकिन देखा कि उसके बाद एक प्रतिशत नहीं दो-तीन प्रतिशत तक खामियां पाई गई । इसके बाद जितनी जनगणनाएं की गईं उनमें लगातार हम खामियां देखते रहे हैं। उपसभाध्यक्ष महोदय मैं जिस बात की ओर आपका खास कर ध्यान आकर्षित करना चाहूंगी कि क्योंकि मुख्य मुद्दा है कि किस तरह जनगणनाएं की जाएं और वह तो इस आधार पर की जाती थीं कि महिलाओं का जब ख्याल आता था, जब महिलाओं के बारे में आंकड़े एकत्रित करते थे तो इस तरह आंकड़े एकत्रित किए गए कि जो परित्यक्ता महिलाएं थीं, जो तलाकशुदा महिलाएं थीं उन महिलाओं को विधवाओं की श्रेणी में वर्गीकृत किया गया । तब इस पर बहुत आपत्ति उठाई गई तो अब इसमें सुधार किया गया है । और इसी तरह की जो सुधार करने की जरूरत है उसकी हम किस तरह अपने समाज का पूरा स्वरूप हमारे सामने आ सके । इस समाज का पूरा स्वरूप आने के लिए खास कर जब महिलाओं का हाल हम देखते हैं, जनगणना के आंकड़ों को देखते हैं तो अभी भी उसमें बहुत खामियां हैं । कामकाजी महिलाओं के संबंध में जब आंकड़े करते हैं तो उसमें भी बहुत खामियां हैं ।

इसीलिए मैं मंत्री महोदय का ध्यान आकर्षित करना चाहूंगी कि विकास कार्यों के संबंध में स्त्री-पुरुष भेद के अनुसार विशिष्ट आंकड़े यथा लाभ-ग्राहियों की संख्या आबंटन आदि अलग-अलग उपलब्ध करवाए जाने की जरूरत है । इसके साथ ही महिलाओं पर नीति के समस्तीगत प्रभाव, खास तौर पर कृषि नीति, औद्योगिक नीति, कराधान, शहरीकरण, संस्थागत आदि के प्रभाव का अध्ययन भी जरूरी है ।

इसलिए उपसभाध्यक्ष महोदय आप बार-बार घंटी दबा रहे हैं, मैं मंत्री महोदय से सिर्फ इतना ही कहना चाहती हूं कि जनगणना का मुद्दा वास्तव में जहां हमको अपने अतीत का एक चित्र पेश करता है, वर्तमान को समझने की शक्ति देता है, वहीं हमारा भविष्य किस ओर जाएगा, इस ओर भी हमें दृष्टि प्रदान करता है । तो जनगणना के इस बृहद आयोजन को सिर्फ एक औपचारिकता के रूप में हमें नहीं लेना चाहिये क्योंकि यह एक बहुत ही महत्वपूर्ण तरीका है अपने समाज को समझने का । इसलिये मैं मंत्री महोदय से जानना चाहूंगी कि आजादी के इन 45 वर्षों में हमारे समाज में कौनसे नये अंतर्विरोध खड़े हुए हैं, हमारी आबादी का एक वर्ग से दूसरे वर्ग में किस तरह ट्रांसफर हुआ, वह एक वर्ग से दूसरे वर्ग में किस तरह गये, उसके बारे में भी हमें आंकड़े इकट्ठे करने होंगे तभी हम इसके सही रूप को पहचान पाएंगे ।

महोदय, इसके साथ ही मैं मंत्री महोदय से यह भी कहना चाहूंगी कि यह एक महत्वपूर्ण मुद्दा है और जो कर्मचारी/अधिकारी जनगणना का काम करते हैं, वह सही रूप में आंकड़े इकट्ठे नहीं कर पाते हैं, लेकिन जो जनसंख्या के आंकड़ों को इकट्ठा कर प्रोसेस करते हैं, आप उनके साथ क्या सलूक करते हैं। वे स्थायी कर्मचारी की तरह नहीं गिने जाते और उनकी सुविधाओं का ख्याल नहीं रखा जाता । इसलिये मंत्री महोदय आप अपने स्टाफ को सुविधाएं दें क्योंकि उन्हें स्थायी करने का सवाल लगातार उठता रहा है, लेकिन सरकार ने आज तक उस ओर ध्यान नहीं दिया है। मैं उस ओर भी आपका ध्यान आकर्षित करवाना चाहूंगी। इसके अतिरिक्त आपने कहा है कि सेंसस कमिश्नर्स नियुक्त किये जायेंगे, लेकिन वह सेंसस कमिश्नर्स केन्द्रीय सरकार नियुक्त करेंगी । तो क्या इन सेंसस कमिश्नरों को नियुक्त करते समय राज्य सरकारों से सलाह ली जायेगी और राज्य सरकारों से सलाह लेने के बाद ही यह कार्यवाही की जायेगी ? इस संबंध में भी आप अपना स्पष्ट मत रखें क्योंकि राज्य सरकार की बिना जानकारी के, राज्य सरकार को नजरंदाज कर यह काम नहीं किया जाना चाहिये । इतना ही कहकर मैं अपनी बात समाप्त करती हूं ।

SHRI H. HANUMANTHAPPA (Karnataka) : Mr. Vice-Chairman, after listening to Shrimati Sarala Maheshwari, I thought that there were a lot of mistakes in the census. But it is because of this kind of suggestions that a lot of mistakes have entered into the census. Sir, Census and Economic Survey are different things. We want to include everything in it. What is the machinery that we are using for it ? We are using only primary school teachers at the local level who even do not understand the census form. We have got 30 columns in that form. These columns say, "What kind of a house, how many toilets, what material is used, etc." Then it says, "How many industries are you running, what is the investment, what is the profit, etc." All kinds of information is asked for in this census form. But what is the machinery that we are using ? We are using primary school teachers who do not understand this form. During the last census, I had a half-an-hour discussion with an enumerator who came to my house. Even she could not explain these columns.

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRIMATI MARGARET ALVA) : As if he can.

SHRI H. HANUMANTHAPPA : Unfortunately she came to my house. I don't know why Shrimati Alva is upset for that lady. Shrimati Margaret Alva herself said, "Unfortunately poor ladies would be picked up for the census work." Fortunately or unfortunately that lady came to my house. Even she could not understand that form. Sir, they have brought out lengthy forms which the lowest machinery do not understand. Just now Shrimati Maheshwari said

विधवाओं का करो, बच्चों का करो और उनका करो, तो यह सब इकानामिक सर्वे में कराइए। सेंसस में सिर्फ जनगणना ही आना चाहिये।

If you want to give correct figures, it should only be confined to *Janganana*. The enumerators and supervisors are confused unnecessarily. In 1941 I worked as an enumerator. But at that time a separate census was conducted. We cannot include economic survey in this form. It should be bifurcated. Then only we can give correct figures. I would request the Minister to go through the form and analyse it. I have read this form. There are certain abbreviations in this form, like CW, OW, etc. But these are not explained at all.

How can these poor people, these primary school teachers understand these things ? Unnecessarily, you are taking stringent action against the staff. Firstly, you come to a conclusion as to what you want from the Census. If you want to have an economic survey, then you have to have qualified people. If you want to know about the numbers of people, then you can have these people. The primary school teachers do not understand these forms and hence our census figures are all wrong. You have to pick up the right kind of people. You again have a column for computer purpose. These people have not seen a computer. How can they understand it ? This is a practical problem. Please look into it. The Census Commissioner has to look into it. Do not mix it up with economic survey for development purpose and entrust the work to the primary school teachers. If you want to have an economic survey, please put qualified people on the job. We have no objection. But don't mix it up. Census is different from economic survey. Census people cannot undertake the work of economic survey. You have the building form. You have put a number of questions. There are 29 columns. When the census people go to various houses, the head of the family may not be at home. There could be only some ladies in the house or there could be some boys of the house at that time. These people cannot give all the details. The census people have no time and they

will not come back again and will write whatever they feel like. How can you get correct figures like this ? I request the Government to look into this aspect. If you want to have an economic survey for developmental purpose, for planning purpose or for any other purpose, entrust this work to qualified people. Only then will our planning to correct and the developmental work can go on. You may remember, Mr. Minister, the way the Block Development Officers went about their work when the NSC scheme was introduced. The BDO used to call the accountant of the village and tell him to add 25 per cent growth to the previous years figures. In this way after 4 years one finds that there is no poverty and growth rate has increased. This is how figures were arrived at. The census figures are misleading. I also support the objection raised by Shri Sangh Priya Gautam. The objects and reasons of the Bill have not been mentioned. If the Lok Sabha has passed it, it does not mean that Rajya Sabha will not take note of it. A Member who wants to speak on this Bill should know what its objects and reasons are. It is not enough if the Minister reads the objects and reasons of the Bill. I do not know why the system has been changed. Earlier, with every Bill, we used to get a copy of the objects and reasons of the Bill. This is not the correct procedure. For the last 10 years we have been following a procedure where the objects and reasons of the Bill were circulated along with it. Please correct this mistake and I stress this upon you. During the Question Hour I had brought to your notice about enumeration that was done in Delhi. I had also written to you, but you have not been able to look into it. The column for Scheduled Castes and Scheduled Tribes was missing. I do not know how you arrived at these figures. The other day, Mr. Afzal had also raised an objection regarding a particular community. You have to take care of all these things and rectify them. So many suggestions have been made and I hope the Minister will go through these suggestions and bring about certain changes so that it becomes a meaningful exercise. It should be an effective machinery so as to arrive at correct figures.

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : माननीय उपाध्यक्ष जी, यह जो जनगणना (संशोधन) विधेयक 1993 है, इसका तो मैं समर्थन करता हूं । मैं केवल दो बातों की ओर सदन का ध्यान आकर्षित करना चाहता हूं । यह जो 1948 का विधेयक है, इसके अंतर्गत हर दस-दस वर्ष के अंतराल में जनगणना होती है और इस जनगणना के काम में कुछ तो ऐसे कर्मचारी लगाए जाते है, जो अध्यापक है या दूसरे सरकारी कर्मचारी है और इसके अतिरिक्त कुछ ऐसे भी कर्मचारी लगाए जाते है जो साल, डेढ़ साल या दो साल तक काम करते हैं और उसके बाद उनको अपने काम से हटा दिया जाता है । इस संबंध में इस माननीय सदन में सवाल भी किया गया है । अभी पीछे इसी माननीय सदन में अतारांकित प्रश्न संख्या 979 श्री अनन्त राम जायसवाल का 6 मई, 1992 का था गृहमंत्री जी से । उसमें इस संबंध में मांग की गई थी कि जो कर्मचारी अस्थाई रूप से, जिनको स्थिर कर्मचारी कहा जाता है, उनसे जनगणना का काम लिया जाता है, और काम लेने के कुछ समय बाद उनको हटा दिया जाता है । उनके लिए शायद सरकार की तरफ से कुछ राजाज्ञा भी है कि नौकरी मिलने में या अन्य कुछ कामों में उनको कुछ सुविधाएं दी जाएं लेकिन इसका पालन नहीं होता । तो मंत्री जी का उत्तर था :—

"For the manual tabulation and editing of the census data collected during field operations, purely temporary staff is recruited for specified period for specific jobs. After the work is over, the temporary offices set up for the purpose are wound up. Memorandum|representations have been received by Government from the retrenched employees from time to time for absorption|employment in Government offices."

तो मेरा सिर्फ यह निवेदन है कि जो लोग इस तरीके से काम करते है वे सरकार का ही काम करते है, राष्ट्र का ही काम करते है जनगणना का काम

करते है तो जब काम करके वे घर बैठ जाते है तो और जो नौकरियां हैं उनके मिलने में उनको कम से कम, जो उनके पास योग्यता है, उन्हें अन्य के मुकाबले प्राथमिकता दी जाए ।

दूसरे बहुत दिनों से मांग चली आ रही है कि इलाहाबाद में एक जनगणना निदेशालय की शाखा खोली जाए। एक जनगणना निदेशालय की शाखा खोलने का मामला सरकार के अधीन है और इस संबंध में दूसरे सदन की एक सदस्या हैं श्रीमती सरोज दुबे उन्होंने गृह मंत्री जी को पत्र लिखा था, श्री शंकरराव चव्हाण को, तो उन्होंने 8 मई, 1992 को श्रीमती सरोज दुबे को उत्तर दिया कि :—

"आपका दिनांक 30 अप्रैल, 1992 का पत्र प्राप्त हुआ जिसमें आपने उत्तर प्रदेश जनगणना कार्य निदेशालय की एक शाखा इलाहाबाद में खोलने के बारे में लिखा है। मैं इस मामले की जांच करवा रहा हूं।"

तो मेरा निवेदन है कि इस संबंध में भी आप विचार करिए और निर्णय लीजिए कि इलाहाबाद में जो जनगणना कार्य का निदेशालय है इसका मामला चल रहा है वहां भी एक कार्यालय खुलवा दीजिए ।

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu) : Mr. Vice-Chairman, Sir, thank you for giving me an opportunity to speak on this Bill. I want to seek certain clarifications. Principally, I support this Bill. But there are certain practical aspects which need some clarifications Sir, according to Clause 7A that is going to be inserted, any person, in possession of any premises requisitioned for the purpose of census operations, may be summarily evicted from the premises by any officer empowered by the Central Government in this behalf. It means to say that if an officer requires a particular place for the census operations and if that particular place is occupied by somebody and he refuses to go, he will be evicted by force. When rules and regulations are framed, there must also be checks and balances. I feel that extraordinary powers which are not at all required for an officer, are being given through this Clause. Then, Sir, I would like to touch upon Sections 8, 10 and 12 of the Principal Act. Clause 6 of the Bill says, "In Section 8 of the principal Act, in sub-section (1), for the words "State Government", the words "Central Government" shall be substituted. Now, what does sub-section (8) say ? It says that a Census Officer may ask all the persons within the limits of the local area for which he is appointed as by the instructions issued in this behalf by the State Government and published in the Official Gazette..." Now, with the amendment of this Section, instructions will be issued by the Central Government. And they have not given the reason for it. Also, clause 7 states, "In section 10 of the principal Act, in sub-section (1), for the words "State Government" at both the places where they occur, the words "Census Commissioner" shall be substituted." This is regarding Section 10 (1) which states, "Subject to special orders, as the State Government may issue in this regard, a Census Officer, may within the local area for which he is appointed, leave or cause to be left a schedule at any dwelling house...".

> "or with the manager or any officer of any commercial or industrial establishment, for the purpose of its being filled up by the occupier of such house or of any specified part thereof or by such manager or officer with such particulars as the State Government may direct..."

Actually Census officers are appointed by State Governments. Instead of directions being issued by the State Governments, now the directions will come from the Central Government. Then, you come to section 12. In clause 9, it is written, "for section 12 of the Principal Act, the following shall be substituted". I don't want to read it out. But please keep it ready. What section 12 said previously has been totally removed. What did section 12 say previously ? It was about sanction required for prosecution. It said :

"No prosecution under this Act shall be instituted except with the previous sanction of the State Government or of an authority authorised in this behalf by the State Government."

Now, in all these Sections 8, 10 and 12 wherever the words "State Government" occurred, these have been substituted with the words "Central Government". What is the motive behind this ? The Government has not explained the reason attributable to this particular amendment. We want clarified why the Central Government wants to take away the powers which were hitherto enjoyed by the State Goverments.

As far as census work is concerned, what we feel is that census is not at all being done properly. In other countries, each and every citizen is issued an identity card. That is what even the CEC is saying. But within the time stipulated by him, it is not possible. As far as the time-limit is concerned, I agree with the arguments put forth by the hon. Members. As far as the question of issuance of identity cards is concerned, what I feel is that every person should be issued these identity cards. In that case, impersonation will be reduced in our country.

Sir, I want to say another point here though it is not connected with the subject matter. If a State Government implements family planning effectively, its population will come down. Once population comes down, it loses constituencies in the State. This way we have lost two constituencies. I say it is not related directly but it is related in an indirect way.

In Sections 8, 10 and 12, the words "State Government" have been removed and the reason is not explained. They say, "There is nothing. We are only delegating the powers to the officers". To whom are they delegating the powers ? We have to see to whom they are giving these powers. They are giving these powers to officers appointed by the Central Government. Even in respect of prosecution, they need not take any permission from the State Governments. They don't need to ask the State Governments when a person has to be prosecuted. These powers are taken away by the Central Government. I think there is something wrong in this. I want to be clarified on these. After clarification of these points, if I get any more doubts, I will again ask.

Thank you, Sir.

DR. NARREDDY THULASI REDDY (Andhra Pradesh) : Sir, I support the Census (Amendment) Bill, 1993. No doubt, at ground level Census officers and staff are facing difficulties with regard to procurement of vehicles and buildings, especially the staff from the local authorities. So, this Bill is essential. Census work is very important because the entire future planning and programming depends upon the census work. But, unfortunately, our census work is not accurate. There are false positives and false negatives. There are some names which appear again and again. There are some other names which do not appear in the census list at all. For example, 'x' is working somewhere and his native is somewhere else. His name is included in both the places. This has happened most of the times. At the same time, most of the names are not entered there. Some colonies are missing; nomadic people are missing; people with out houses are missing; and people with houses, but without door numbers, are missing. So, these things are happening. Actually, the field workers, the staff at the lower level, are not taking it seriously.

First of all, there is no proper training to them. Their remuneration is very meagre. That is why they are not taking the job seriously. They sit somewhere indifferently and cook up some statistics and give them to the officers. This is what is happening and that is why the census is not at all accurate.

There is one point regarding the economic criteria. As Mr. Hanumanthappa said, it should not be complex. It should be clear, simple and rational. The guidelines should be like that. With regard to literacy, up to the 1981 Census, for calculating literacy, we were taking into account people of five years and above while for the 1990-91 Census, we have taken for the same purpose the population of seven years and above. I do not know whether you have examined this and found out whether the procedure is correct or not. For the 2001 Census, what yardsticks are you going to adopt ? I want clarifications on these points.

Finally, though it appears to be silly, I would like to stress that point. With regard to sex, we consider only two genders, male and female. We are not considering the other gender and it is totally unjust. Though this may appear to be silly and funny, I would still request the Minister to clarify this. Thank you.

SHRI P. M. SAYEED : Mr. Vice-Chairman, Sir, I am grateful to all the Members who have participated in this debate.

Many points have been raised. I am afraid that Mr. Gautam made the point that the Statement of Objects and Reasons is missing here. It is the usual practice that when a Bill is introduced in the other House, it will contain this and when it is passed, it is taken off...(*Interruptions*)...

SHRI JAGDISH PRASAD MATHUR (Uttar Pradesh) : Your explanation has made things worse. Without amending the Bill, they cannot introduce it. The Statement of Objects and Reasons is a part of the Bill. So, how can they withdraw it without making an amendment ? I will accept your explanation because I do not want to create any hurdles. But your explanation is not very convincing.

SHRI P. M. SAYEED : This is not the first time that a Bill is introduced. When it is passed, it is not there...(*Interruptions*).....

SHRIMATI MARGARET ALVA : I will explain because I checked it up. I am only clarifying. What I am told is that when a Bill is introduced, the Statement of Objects and Reasons is circulated as a part of the Bill. Now, it has already been passed by the Lok Sabha and it is coming to us as passed by the Lok Sabha and I am told that when it comes here as passed by that House, it does not contain it...(*Interruptions*)...

SHRI H. HANUMANTHAPPA : It is not introduced at all ..(*Interruptions*)..

SHRI P. UPENDRA : Sir, the Minister is not fully aware of the situation. The procedure is...(*Interruptions*)...

SHRI JAGDISH PRASAD MATHUR : Mrs. Alva, you might have been told. But this is a part of the Bill...(*Interruptions*)...

SHRI P. UPENDRA : The Minister is not fully aware..(*Interruptions*).. Just one minute, Sir...(*Interruptions*)...

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Yes, Mr. Upendra.

SHRI P. UPENDRA : Sir, the procedure is that whenever a Bill is introduced in either House, then the Statement of Objects and Reasons and the Financial Memorandum are included in that document and it is circulated to the Members in both the Houses. Suppose it is introduced in the Lok Sabha, a copy of it is circulated to the Rajya Sabha Members. Therefore, when it is passed in the Lok Sabha and it comes here, the Statement of Objects and Reasons is not given generally because a copy of it was already circulated earlier. This she does not know.

SHRIMATI MARGARET ALVA : No, no. I explained it. I said, at the time of ntroduction, the Statement of Objects nd Reasons is circulated.

SHRI H. HANUMANTHAPPA : We want to know when this Bill was circulated in the Rajya Sabha.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): The matter will be checked up and you will be informed. Yes, Mr. Minister... (*Interruptions*).

SHRI H. HANUMANTHAPPA : We want to know whether it was introduced or not. We are creating a new precedent.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : I have now checked up from the Secretariat. It was circulated on the day when it was introduced in the Lok Sabha, that is, on the 18th of December, 1992.

SHRI H. HANUMANTHAPPA : After one year it comes to us. And you expect us to read the objects and reasons.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : It makes no difference.

SHRI P. UPENDRA : That is the procedure.

SHRI HANUMANTHAPPA : What procedure ? After one year it comes.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Mr. Hanumanthappa, please take your seat.

SHRI P. UPENDRA : We can change it.

SHRIMATI MARGARET ALVA : Yes, we can change it.

SHRI P. M. SAYEED: Mr. Vice-Chairman, Sir, the Members have given very valuable suggestions in this debate and they are very useful.

Sir, there was one point whether the Census is also inclusive of an economic survey. Sir, Census is under three heads—the basic schedule is under house-listing, house-hold schedule, and individual slip. Under these three categories, the Census was taken in 1991, the last Census. The first list contains, Sir, the house conditions —either 'paccka' or 'katchha', owned or rental status, and facilities available in the house. The second one is...

SHRI H. HANUMANTHAPPA : The total number of columns, I think, is 29.

SHRI P. M. SAYEED : It comes under three heads. The second one is house-hold schedule. It gives the account of all family members. And the third one is the individual slip which contains information on name, age, sex, marital status, language, religion, SC-ST, literacy, educational status, work participation, birth place, migration particulars and certain other information I am only giving the main details.

Sir, the other thing to which I draw your attention is that for this purpose, the operation is done under the supervision of 31 officers throughout the country. The Commissioners are there. And a staff strength of 6,000 is there on a permanent basis. And in the operation relating to the Census, about 15 lakh personnel are engaged on a part-time basis. That is drawn from the States.

SHRI JAGESH DESAI (Maharashtra): Primary school teachers.

SHRI P. M. SAYEED : Sir, for the manual compilation, the tabulation work immediately after the Census—that is also for a short period—40,000 temporary contractual workers are employed. Sir, one of the hon. Members mentioned about the contract work undertaken by the Census Department. After their work is over after some period of time, they are sent back and they cannot be retained. Educated people are engaged for this job. About age relaxation, there is a period of three years plus the actual duration of the work which is allowed while considering relaxation in age for employment.

Many hon. Members said that in many places, many people are left out and they are not enrolled in the census report. Sir, the Census Department has no powers. Our intention is to ensure that the census operation is made more effective so that

no person is left out during census operation, and it is with that objective that this amendment has been brought about.

SHRI JAGESH DESAI: After that, a random sampling is done.

SHRI P. M. SAYEED: Enumerators are given good training. They get intensive training for 7 to 10 days.

All other suggestions made by the hon. Members have been taken note of.

SHRI S. VIDUTHALAI VIRUMBI: In sections 8, 10 and 12, why the word 'State Government' has been deleted?

SHRI P. M. SAYEED: As I said, there are about 15 lakh employees on part-time basis who are taken from the State Governments. Therefore, it is for the State Government to ensure that no mistakes are committed and the work is done efficiently. They have to carry out the supervision. We in the Census Department have no control over them. Even if some employees take this work lightly, there is no law to force them to take the work seriously. Therefore, it is imperative on the part of the State Governments to ensure proper supervision over these employees who are drawn from the State Governments.

SHRI S. VIDUTHALAI VIRUMBI: Section 10 says: 'No prosecution under this Act shall be instituted except with the previous sanction of the State Government. Now, under this amendment, no such sanction is necessary. The reply of the Minister indicates that since the employees are working under the State Governments, the State Governments may not take action or they do not have sufficient powers.

SHRI P. M. SAYEED: During the period of census operations, they are under the Census Department. Prosecution in the case of all State Government employees would continue with the State Government except in the case of employees of Central Government companies and public sector.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): I now put the motion for consideration of the Bill to vote.

SHRI SANGH PRIYA GAUTAM: Sir, I want to point out that this Bill details the process, the procedure, as to how the census is to be taken. Therefore, why should it not be known as the Census Procedure Code?

जो हमने बात कही थी कि क्या हम उसे अमेंड नहीं कर सकते?

I raised this point earlier. The hon. Minister has not answered my objection.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Mr. Minister, your reply is over?

SHRI P. M. SAYEED: Yes, Sir.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): Now, the question is:

"That the Bill further to amend the Census Act, 1948, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI): We shall now take up clause-by-clause consideration of the Bill.

Clauses 2 to 15 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI P. M. SAYEED: Sir, I beg to move.

"That the Bill be passed."

The question was proposed.

श्री सत्य प्रकाश मालवीय: मैं समझता हूं कि मंत्री जी मेरे प्रश्न का उत्तर देंगे। मैंने एक प्रश्न उठाया था। इलाहाबाद में जनगणना निदेशालय के कार्यालय का एक ब्रांच आफिस खोलने के बारे में बहुत दिनों से मांग चल रही थी। इस संबंध में गृह मंत्री जी ने 1992 में उत्तर भी दिया था। इस विषय में आपका क्या कहना है?

श्री पी० एम० सईद : वाइस-चेयरमैन, सर, इलाहाबाद में सेंसस अफिस के बारे में मालवीय जी ने जो बात बताई है उसके बारे में मैं विचार करके उसकी रिपोर्ट मंगा कर भेज दूंगा।

The VICE-CHAIRMAN (SYED SIBTEY RAZI): Now, the question is:

That the Bill be passed.

The motion was adopted

THE PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) BILL, 1993

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Shri P. M. Sayeed please.

SHRI H. HANUMANTHAPPA: No discussion on this.

SHRI V. NARAYANASAMY: Sir, we can pass it without discussion.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : If hon. Members agree, we can pass it without discussion. This is not a controversial Bill.

SHRI P. UPENDRA (Andhra Pradesh): I have an amendment.

SHRI V. NARAYANASAMY: What amendment do you have? That is separate.

SHRI P. M. SAYEED : Sir, let me move the Bill first. I beg to move :

"That the Bill further to amend the President's Emoluments and Pension Act, 1951, as passed by the Lok Sabha, be taken into consideration."

Sir, the President's Emoluments and Pension Act, 1951, enumerates the emoluments, pension and the various other benefits admissible to former Presidents. The Act, as it stands, does not provide for any free travel facility other than for medical treatment to former Presidents. In order to enable the former Presidents, who have held the highest office in the country, to maintain the dignity and status expected of them, it is proposed to amend the President's Emoluments and Pension Act, 1951, so as to provide for their free travel by the highest class by air, rail or steamer, accompanied by one person anywhere in India.

Sir, the President's Emoluments and Pension (Amendment) Bill, 1993, has been finalised in consultation with the Ministries of Civil Aviation and Tourism, Finance, Railways, Surface Transport and Law, Justice and Company Affairs. According to section 4 of the President's Emoluments and Pension Act, 1951, any sum payable under this Act is charged to the Consolidated Fund of India. The recommendation of the President for consideration of the Bill, under article 117(3), has been obtained. With these words, I commend this Bill to this august House for consideration.

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SYED SIBTEY RAZI) : Now I will take up clause-by-clause consideration of the Bill. There is one amendment by Shri P. Upendra.

Clause 2 (*Amendment of Section* 2 *of Act* 30 *of* 1951).

SHRI P. UPENDRA (Andhra Pradesh) : Sir, I move :

That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the President's Emoluments and Pension (Amendment) Bill, 1993, as passed by the Lok Sabha, namely :—

That in sub-section (1) of Section 2 of the Principal Act, the following Explanation be *added*, namely :—

"*Explanation* :

The Vice-President of India, who officiated as the President, for a minimum period to be specified under the Rules,